# BUSINESS PLAN 2017–20
# Indigenous Relations

## ACCOUNTABILITY STATEMENT

This business plan was prepared under my direction, taking into consideration the government's policy decisions as of March 3, 2017.

*original signed by*

Richard Feehan, Minister

## MINISTRY OVERVIEW

The ministry consists of the Department of Indigenous Relations. Within the department's budget, funding is provided to the Metis Settlements Appeal Tribunal, which is accountable to the Minister. The Metis Settlements Appeal Tribunal is a quasi-judicial body that promotes self-governance, certainty and respect within the Metis Settlements through adjudication, mediation and education.

A more detailed description of Indigenous Relations and its programs and initiatives can be found at www.indigenous.alberta.ca.

## STRATEGIC CONTEXT

The outcomes and key strategies identified in this business plan are aligned with the strategic direction of the Government of Alberta.

Alberta is committed to reconciliation with Indigenous peoples. Indigenous Relations acts as a focal point for the province's relationships with First Nations, Metis and Inuit communities and organizations in Alberta. The ministry provides leadership and advice to other Government of Alberta ministries on Indigenous issues and policies. It also builds relationships with Indigenous governments and communities, other governments (including federal, provincial, territorial and municipal governments), industry and other partners to strengthen social and economic opportunities for Indigenous peoples in Alberta.

In response to the final report of the Truth and Reconciliation Commission (TRC) released in December 2015, the ministry is committed to acts of reconciliation to help reverse the negative effects of the legacy of the residential school system in Alberta. There is an increasing recognition within the ministry of the need for a more strategic and systemic approach to informing ourselves and others of the history, culture and modern aspirations of Indigenous peoples. As identified in the TRC Final Report Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) is being viewed as a framework for reconciliation. The Government of Alberta is committed to implementing the principles of the UN Declaration in a way that is consistent with the Canadian Constitution and Alberta law. The Government of Alberta recognizes and respects the rights of Indigenous peoples and their cultural identities. Alberta is engaging with Indigenous communities so that their knowledge and wisdom can inform the approach to moving forward on implementing the principles of the UN Declaration.

With the November 2015 release of Alberta's Climate Leadership Plan, the Government of Alberta has been engaging with Indigenous communities and organizations. The Indigenous Climate Leadership Initiative is part of the Alberta Climate Leadership Plan and is intended to enable and support Indigenous leaders and communities to participate in climate leadership opportunities and to reduce greenhouse gas emissions, stimulate green economic development,

generate green jobs, diversify Alberta's economy and lower costs from burning fossil fuels. The government is committed to involving Indigenous peoples broadly in Alberta's Climate Leadership Plan, including the development of a joint governance structure, and is working to form ongoing partnerships with Indigenous leaders, organizations, and communities. The collaborative approach to engagement and implementation of this initiative reflects Alberta's commitment to the UN Declaration.

In collaboration with First Nations and industry, the government is renewing *The Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management, 2013* and associated Guidelines, including consideration of legislation on consultation. This renewal is intended to assess the performance and standards of the consultation process so that it reflects developments in First Nations consultation and responds more effectively to the future needs of First Nations, as well as industry, and other stakeholders. In addition, the government repealed Bill 22, the *Aboriginal Consultation Levy Act*, in May 2016, and has been working collaboratively with First Nations to identify alternatives to Bill 22 in an approach that is reflective of the needs of the First Nations.

Indigenous peoples are seeking greater participation in the social and economic opportunities available in Alberta. The ministry delivers a number of grants, programs and initiatives that advance Indigenous social and economic circumstances in collaboration with Indigenous governments, communities and organizations, other ministries and stakeholders.

The Government of Alberta works to ensure that Indigenous views are incorporated into all policies, programs and services that directly affect Indigenous peoples. To achieve this, Alberta continues to develop more coordinated approaches to engagement to ensure adequate input is collected on the many different initiatives affecting Indigenous peoples. Resource development, Traditional Knowledge, water management issues, concerns about the cumulative effects of development and the duty to consult are all issues where Indigenous peoples want a greater voice.

The ministry has been working with Indigenous leaders to develop relationship agreements which include processes to discuss topics of mutual interest and identify joint courses of action. Building relationships is a key component of the discussion. In April 2016, the Treaty 8 First Nations of Alberta Protocol Agreement was signed by the Premier, the Minister of Indigenous Relations, and the Grand Chief and Deputy Grand Chief of Treaty 8 First Nations. Alberta will continue to work with Treaty 6 and First Nations in the Treaty 7 area to develop relationship agreements.

Indigenous Relations strives to ensure that Indigenous peoples are empowered to influence land and resource management decisions. Indigenous Relations develops and enhances relationships with Indigenous peoples participating in land-use framework regional plans venues by facilitating the inclusion of Indigenous perspectives in land and natural resource management. This role continues to evolve as initiatives involving First Nations and Metis are considered, established and implemented.

The Government of Canada launched a National Inquiry into Missing and Murdered Indigenous Women and Girls in August 2016. All jurisdictions agreed to Canada's request to implement Orders in Council (OIC) ensuring that all the commissioners can examine areas under federal and provincial jurisdiction, making the Inquiry truly national in nature. Alberta passed its OIC in September 2016, adopting the Terms of Reference and the Commissioners of the Inquiry under its *Public Inquiries Act*. Alberta is an active participant providing full cooperation and support to the Inquiry.

Provincially, one of the many ways Indigenous Relations supports Indigenous women is through the work and recommendations of the First Nations and Metis Women's Councils on Economic Security. These councils provide valuable recommendations on ways to improve socio-economic outcomes for Indigenous women and their families.

The Government of Alberta has long-standing relationships with the Metis Settlements General Council (MSGC) and the Metis Nation of Alberta (MNA). Improving the socio-economic well-being of Metis peoples and increasing Metis participation in resource development and land management processes are important objectives of the ministry.

The Metis Settlements Consultation Policy became operational in April 2016 and the government is engaging with the MNA, Metis locals, and other non-Settlement Metis communities as required regarding a non-Settlement

Metis Consultation Policy that is consistent with the principles of the Metis Settlements Consultation Policy. The ministry and MSGC continue to make progress on the implementation of the Long Term Governance and Funding Arrangements Agreement (LTA). A review of the LTA is underway to create operational efficiencies. The Government of Alberta signed a ten-year framework agreement with the MNA in February 2017. The new framework agreement aligns with the principles of the UN Declaration and was collaboratively developed with the MNA. The agreement is focused on strengthening relationships and facilitating a government-wide approach to Metis issues. The framework agreement will also provide a forum to work through outstanding issues such as Metis harvesting.

Significant progress has been made on flood recovery in southern Alberta since June 2013. The ministry, in cooperation with other ministries, continues to lead Alberta's efforts in First Nations' flood recovery and mitigation by assisting Siksika and Stoney Nakoda Nations in Southern Alberta with the rebuild and repair of their homes and infrastructure. All rebuild and repair work on Stoney Nakoda Nation was completed in December 2016. It is anticipated that all work on Siksika Nation should be completed by spring 2018.

## OUTCOMES, KEY STRATEGIES AND PERFORMANCE MEASURES

### Outcome One: Indigenous communities and peoples can fully participate in Alberta's economy and society

The ministry's activities are designed to support effective relationships, policies and initiatives as well as strong and vibrant Indigenous communities where people can fully participate in the social and economic opportunities of Alberta. The ministry provides leadership on Indigenous policy and oversees agreements between the Government of Alberta and Indigenous governments and organizations. By building relationships with other ministries, Indigenous governments, communities and organizations, industry, other governments and partners, Indigenous Relations strengthens economic and social opportunities for Indigenous peoples in Alberta. Indigenous Relations provides advice, guidance and specialized knowledge to other ministries, governments and industry and collaborates with Indigenous communities and organizations to support skills development. The ministry also funds the Metis Settlements Appeal Tribunal and the Metis Settlements Land Registry, and administers Alberta's Metis Settlements legislation and the First Nations Development Fund.

**Key Strategies:**

1.1 Lead the government in strengthening relationships with Indigenous peoples, governments and organizations in Alberta through the implementation of the principles of the UN Declaration in a manner that is consistent with the Canadian Constitution and Alberta Law. This work includes:

- Working with Indigenous leaders and communities to deepen our understanding of the UN Declaration and the priorities of Indigenous peoples;
- Engaging Indigenous communities on the Government of Alberta's proposals to implement the principles of the UN Declaration;
- Working with First Nations to advance matters of mutual interest with the federal government, including access to clean and safe drinking water and ensuring that jurisdictional conflicts do not prevent children from receiving services they need; and
- Working with Metis organizations and the federal government to establish a trilateral dialogue on Metis rights and reconciliation.

1.2 Lead the development and implementation of the Indigenous Climate Leadership Initiative (ICLI) by:

- Continuing to engage with Indigenous leadership, communities, and organizations and communicating about ICLI and the various ways to provide input on ICLI programming;
- Jointly developing programing options to effectively deliver energy efficiency, renewable energy systems, and other greenhouse gas emission reduction strategies to each community; and
- In partnership with Indigenous peoples, developing and implementing a joint governance structure for ICLI.

1.3 Improve socio-economic outcomes for Indigenous communities and peoples by:
- Implementing the Treaty 8 First Nations of Alberta Protocol Agreement and working with Treaty 6 and First Nations in the Treaty 7 area to develop relationship agreements;
- Strengthening strategic partnerships with Indigenous organizations, other governments, industry and others to improve socio-economic outcomes of Indigenous peoples in such areas as children in care, health and education;
- Supporting the implementation of the Memorandum of Understanding for First Nations Education in Alberta to eliminate the achievement gap between First Nations students and other students in Alberta;
- Administering the First Nations Development Fund based on First Nation priorities;
- Collaborating with Indigenous communities and organizations, other governments and private and non-profit sectors to address barriers preventing Indigenous peoples from participating in the economy through various economic initiatives;
- Collaborating with other ministries, Indigenous organizations, other governments and private and non-profit sectors to support initiatives with urban Indigenous peoples; and
- Continuing to lead the Government of Alberta's work with Siksika Nation on the repair and rebuild of houses affected by the 2013 floods.

1.4 Improve socio-economic outcomes for Indigenous women by:
- Participating in the National Inquiry into Missing and Murdered Indigenous Women and Girls;
- Developing locally based solutions in consultation with Indigenous partners; and
- Supporting the Metis and First Nations Women's Councils on Economic Security.

1.5 Increase economic opportunities and enhance community and individual well-being of Metis people by:
- Continuing to work with the Metis Settlements General Council and the Settlements to implement the Long-term Governance and Funding Arrangements Agreement that seeks to achieve effective governance, enhanced accountability and long-term sustainability;
- Collaborating with the Metis Nation of Alberta and other ministries to implement the MNA Framework Agreement; and
- Working with the Aseniwuche Winewak Nation (AWN) to strengthen governance and improve socio-economic conditions for the Cooperatives and Enterprises.

1.6 Collaborate with other ministries, Indigenous organizations, other governments, industry and the non-profit sector to increase awareness and understanding of Indigenous peoples and issues, including:
- Promoting the Alberta Indigenous Intern Program to strengthen cultural awareness, build community capacity and increase employment within the Government of Alberta; and
- Supporting the development of an Indigenous peoples statistics program to ensure that up to date statistical information is available to both government and the public.

| Performance Measures | Last Actual 2015-16 | Target 2017-18 | Target 2018-19 | Target 2019-20 |
|---|---|---|---|---|
| 1.a Economic Initiatives:<br>• Number of Indigenous economic development initiatives and capacity building projects | 44 | 44 | 45 | 46 |
| 1.b Urban Initiatives:<br>• Number of urban initiatives and capacity building projects | 14 | 14 | 15 | 16 |
| 1.c Flood Recovery in Siksika:<br>• Percentage of affected homes with construction completed out of all affected homes | 7% | 100% | n/a | n/a |

**Linking Performance Measures to Outcomes:**

1.a Demonstrates how the ministry supports Indigenous communities, peoples and organizations to fully participate in Alberta's economy.

1.b Demonstrates how the ministry supports urban Indigenous communities, peoples and organizations to fully participate in Alberta's economy.

1.c The flood-recovery housing project is helping to address flood impacted housing in Siksika Nation in southern Alberta and to create strong and vibrant communities.

| Performance Indicators | Actual 2012 | Actual 2013 | Actual 2014 | Actual 2015 |
|---|---|---|---|---|
| 1.a Life expectancy at birth: | | | | |
| • First Nations | 72.15 | 72.52 | 71.60 | 70.38 |
| • Non-First Nations | 82.03 | 82.07 | 82.19 | 82.30 |
| 1.b Infant mortality rate: | | | | |
| • First Nations | 8.77 | 9.66 | 9.56 | 7.82 |
| • Non-First Nations | 3.77 | 4.10 | 4.32 | 4.18 |
| 1.c Employment: Percentage of off-reserve Aboriginal population unemployed compared to that of the non-Aboriginal population (percentage points higher) | 7.0 | 4.3 | 3.5 | 5.9 |
| 1.d Average employment income of Alberta's population 15 years and over who worked full-year, full time: | | | (2005) | (2010) |
| • Aboriginal Albertans | | | $43,003 | $55,668 |
| ◦ First Nations | | | $38,238 | $50,033 |
| ◦ Metis | | | $46,293 | $60,296 |
| • Non-Aboriginal Albertans | | | $58,538 | $70,042 |
| 1.e Average employment income of Alberta's Aboriginal population 15 years and over who worked full-year, full time: | | | (2005) | (2010) |
| • Male | | | $50,131 | $63,933 |
| • Female | | | $34,438 | $45,236 |
| 1.f Percentage of Alberta's employed off-reserve Aboriginal population that has a university degree compared to that of the non-Aboriginal population (percentage points lower) | 12.4 | 16.2 | 15.3 | 15.7 |
| 1.g Percentage of First Nations population that has a university certificate, diploma or degree compared to that of the non-Aboriginal population (percentage points lower) | | | | (2011) 17 |
| 1.h Percentage of homicide victims (out of all homicide victims)[1]: | | | | |
| • Aboriginal Albertans | | | 29% | 29% |
| ◦ Male | | | 21% | 17% |
| ◦ Female | | | 8% | 12% |
| • Non-Aboriginal Albertans | | | 71% | 71% |
| ◦ Male | | | 50% | 49% |
| ◦ Female | | | 21% | 22% |

**Note:**

[1] The 2014 figures in 1.h were revised in 2016 as per Statistics Canada CANSIM Table 253-0009.

## Outcome Two: Alberta's coordinated approach to Indigenous strategic engagement, consultation and land claims respects Treaty and Aboriginal rights, increases First Nations and Metis participation in land management, enhances resource development certainty and improves economic competitiveness

Alberta's management and development of provincial Crown lands and natural resources are subject to its legal and constitutional duty to consult First Nations when Crown decisions may adversely impact their continued exercise of constitutionally protected Treaty rights and, where appropriate, to accommodate their interests. The Government of Alberta has focused Indigenous consultation expertise within the ministry of Indigenous Relations, which strengthens Alberta's role in the First Nations consultation process. The ministry manages the consultation process as it relates to the *Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management, 2013* and supports First Nations, industry and other ministries in the process. The ministry also manages the consultation process relating to the *Metis Settlements Consultation Policy* and leads the development of a non-Settlement Metis consultation policy.

The ministry develops policies, programs and initiatives that ensure Alberta fulfills its duty to consult on land and resource development decisions; provides and evaluates consultation capacity requirements of First Nations to participate in land management and resource development consultations, including the provision of funding through the First Nations Consultation Capacity Investment Program; provides advice and guidance to the ministries of Energy, and Environment and Parks on their Crown obligations to consult and engage with First Nations and Metis in the development of land and resource plans, policies and regulations when the duty to consult is triggered, may be triggered, or as a matter of good governance; provides guidance and advice to other ministries, including Environment and Parks, Agriculture and Forestry, who are engaging with First Nations and Metis; and develops strategic relationships with First Nations and Metis to identify shared solutions to land and resource management issues.

The ministry leads the GeoData Mapping Project which involves developing consultation areas with First Nations' input in order to facilitate a more consistent and coordinated approach to consultation. Work is also underway with Alberta's Metis Settlements to develop consultation area maps. The Government supports continued implementation of on Settlement consultation efforts with funding and support through the Long-term Governance and Funding Arrangements Agreement. The ministry also coordinates Alberta's participation in settling Treaty Land Entitlement claims. These initiatives support enhanced land management and resource development certainty, increased Indigenous capacity and greater economic competitiveness

**Key Strategies:**

2.1 Support First Nations peoples to participate in consultation related activities by:
- Continuing to lead the renewal of *The Government of Alberta's Policy on Consultation with First Nations on Land and Natural Resource Management, 2013* and Guidelines, including development of legislative options;
- Having the current consultation process reflect developments in First Nations consultation and respond to the future needs of First Nations, as well as industry, and other stakeholders;
- Leading the GeoData Mapping Project through developing consultation areas with First Nations' input to facilitate a more consistent and coordinated approach to consultation;
- Working with First Nations on a government-to-government basis to address matters of mutual interest as they relate to land and natural resource development; and
- Working with other governments to identify and address consultation challenges as well as opportunities for coordination.

2.2 Support Metis people to participate in consultation related activities by:
- Managing the implementation of *The Government of Alberta's Policy on Consultation with Metis Settlements on Land and Natural Resource Management, 2015*;
- Developing consultation areas through the GeoData Mapping Project in collaboration with Metis Settlements; and
- Working in collaboration with the Metis Nation of Alberta, Metis locals and other non-Settlement Metis communities as required to develop a non-Settlement Metis consultation policy.

2.3 Continue to support consultation capacity needs of First Nations through:
- Working collaboratively and respectfully with First Nations to explore options for developing a new approach to enhancing the consultation capacity of First Nations;
- Working with First Nations to enhance their participation in land management and resource development consultations; and
- Continuing to provide the First Nations Consultation Capacity Investment Program.

2.4 Work with other ministries, industry, other agencies and Indigenous communities to establish a collaborative approach to enhancing engagement and consultation activities and initiatives with Indigenous communities in land and resource management by:
- Developing innovative ways to bring Indigenous peoples' traditional knowledge into land and resource management policies and plans;

- Supporting other ministries to develop and maintain relationships with First Nations and Metis to facilitate the development of regional plans to identify and to resolve issues around air, land and water; and
- Encouraging other ministries, Metis and First Nations to participate in multi-stakeholder advisory groups.

2.5 Work with other ministries, the federal government and First Nations towards resolution of land-related negotiations, in particular Treaty Land Entitlement claims for which Alberta has an obligation under the *Natural Resources Transfer Agreement*.

| Performance Measures | Last Actual 2015-16 | Target 2017-18 | Target 2018-19 | Target 2019-20 |
|---|---|---|---|---|
| 2.a Percentage of First Nations with a GeoData map developed to support the consultation process | 88% | 95% | 100% | 100% |
| 2.b Percentage of Metis Settlements with a GeoData map developed to support the consultation process | 0 | 67% | 100% | 100% |
| 2.c Percentage of weeks in a fiscal year that pre-consultation assessments are completed within established timelines (four working days upon receipt of a complete application) | 92% | 95% | 95% | 95% |
| 2.d Percentage of weeks in a fiscal year that consultation adequacy assessments are completed within established timelines (ten working days upon receipt of a complete application) | 68% | 90% | 90% | 90% |
| 2.e Percentage of First Nations that participate in the First Nations Consultation Capacity Investment Program (FNCCIP) | 98% | 100% | 100% | 100% |

**Linking Performance Measures to Outcomes:**

2.a Development of GeoData maps ensures First Nations are more involved in the land and resource development process and there is a more consistent and coordinated approach to consultation.

2.b Development of GeoData maps for Metis Settlements helps ensure Metis Settlements are more involved in the land and resource development process and there is a more consistent and coordinated approach to consultation.

2.c Demonstrates the efficiency of the pre-consultation assessment process and provides key information regarding the desired outcome of ensuring resource development benefits from a timely, consistent and efficient consultation process.

2.d Demonstrates the efficiency of the consultation adequacy review process and provides information regarding the desired outcome of ensuring resource development benefits from a timely, consistent and efficient consultation process.

2.e FNCCIP assists First Nations and Treaty organizations with continued development of effective consultation structures, supporting capacity building for consultation staff and fulfilling their responsibilities within the consultation process. It also assists with building relationships and partnerships between Indigenous organizations and communities, industry and government.

## RISKS TO ACHIEVING OUTCOMES

- Issues around the views of First Nations and the Government of Alberta regarding the interpretation of the duty to consult and the appropriate means of enhancing First Nations capacity to participate in consultation could lead to uncertainty in resource development.
- Inability to meet increasing demands for funding to support Indigenous participation in Alberta's economy will have indirect negative impacts on relationships.
- Indigenous Relations is working with Seniors and Housing and Siksika Nation on the repair and rebuild efforts due to the 2013 flooding in southern Alberta. If the repair and rebuild efforts experience delays due to the complexity of the project, there is a risk of rising costs and timeline extensions.

STATEMENT OF OPERATIONS

| (thousands of dollars) | Comparable | | | | | |
|---|---|---|---|---|---|---|
| | 2015-16 Actual | 2016-17 Budget | 2016-17 Forecast | **2017-18 Estimate** | 2018-19 Target | 2019-20 Target |
| REVENUE | | | | | | |
| Transfers from Government of Canada | (61,644) | - | - | **-** | - | - |
| Labour Market Development | 2,331 | 1,828 | 4,848 | **1,828** | 1,334 | 1,334 |
| Other Revenue | 261 | - | - | **-** | - | - |
| Consolidated Total | (59,052) | 1,828 | 4,848 | **1,828** | 1,334 | 1,334 |
| EXPENSE | | | | | | |
| Ministry Support Services | 4,940 | 5,221 | 5,221 | **6,193** | 6,570 | 6,570 |
| First Nations and Métis Relations | 40,004 | 32,161 | 37,278 | **31,648** | 31,496 | 31,496 |
| Indigenous Women's Initiatives and Staff Engagement | 1,082 | 1,259 | 1,259 | **1,287** | 1,319 | 1,319 |
| First Nations Development Fund | 125,730 | 126,000 | 126,000 | **129,000** | 132,000 | 132,000 |
| Metis Settlements Appeal Tribunal | 1,182 | 1,204 | 1,204 | **1,198** | 1,243 | 1,243 |
| Consultation and Land Claims | 18,354 | 18,306 | 18,306 | **17,275** | 17,954 | 17,954 |
| Policy and Planning | 1,616 | 1,630 | 1,630 | **1,586** | 1,651 | 1,651 |
| 2013 Alberta Flooding | 6,391 | 6,557 | 4,807 | **3,717** | - | - |
| Land and Legal Settlement | 174 | - | - | **-** | 8,400 | - |
| Climate Leadership Plan | - | - | 6,805 | **970** | 970 | - |
| Consolidated Total | 199,473 | 192,338 | 202,510 | **192,874** | 201,603 | 192,233 |
| Net Operating Result | (258,525) | (190,510) | (197,662) | **(191,046)** | (200,269) | (190,899) |
| CAPITAL INVESTMENT | | | | | | |
| Ministry Support Services | - | 25 | 25 | **25** | 25 | 25 |
| Consolidated Total | - | 25 | 25 | **25** | 25 | 25 |